

ENVIRONMENTAL PROTECTION AGENCY

Region I

SEP 10 1986

September 9, 1986

John Ely  
TECHLAW  
12030 Sunrise Valley Drive #200  
Reston, Virginia 22091

Re: Cannons Case PRP correspondence

Dear Mr. Ely:

Enclosed are original responses to various Information Request response letters. Please include this information in the Cannons PRP tracking system. Process these responses in the same manner as any other information request response. That is, of course, a copy in the PRP correspondence file and the original sent to EPA Boston. In this case however, indicate in the transmittal letter that these letters have already been reviewed by me. If you have any questions, contact me.

Sincerely,

*Wayne M. Robinson*

Wayne M. Robinson  
Environmental Engineer

enc.

✓140 Blackstone Valley Reg. Use  
Tech. SR

863 ✓ Ryden Concrete

597 ✓ Long Island Chronic Disease  
Hb. Study

1332 ✓ Mathepar Chronic Hb. Study

1321 ✓ Union Coal Co.

✓109 ✓ M. H. H. Laboratories

337 ✓ SCA Chemical Engineers  
Earthline Div

→ 540 Interex Corporation

37 ✓ Airo

779 ✓ Pate Silver Co.

264 ✓ ESC Corporation

119 Beaver ✓  
Builders

584 Koppers ✓

*Stephen Hop*

*R*  
*transfer not*  
*to McNeeland*

Cannons PRP Response Tracking System  
(06/16/86)  
Compliance Review of PRP Responses

File review / Data extraction by LJC on 6/25/86  
Q/C JRC

PRP Code 122

PRP Name Montapan Chemical

- |  |   |                                    |
|--|---|------------------------------------|
| 1) Any communication from PRP?                 | T | <input checked="" type="radio"/> F |
| 2) Confidential business information claimed?  | T | F                                  |
| 3) All questions answered by number?           | T | F                                  |
| 4) PRP admits waste transactions with Cannons? | T | F                                  |
| 5) Transactional documents enclosed?           | T | F                                  |
| 6) Non-transactional documents enclosed?       | T | F                                  |

Comments: \_\_\_\_\_

- |   |   |   |
|---|---|---|
| Preliminary response only?                    | T | F |
| Affidavit or notarized signature?             | T | F |
| Were "enclosed documents" missing?            | T | F |
| Were enclosed documents illegible?            | T | F |
| Was the latest response negative?             | T | F |
| Was response negative after tipsheet receipt? | T | F |
| Set this file aside for EPA review?           | T | F |

Why EPA should review: \_\_\_\_\_



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION I**

**J. F. KENNEDY FEDERAL BUILDING, BOSTON, MASSACHUSETTS 02203**

1332

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

January 20, 1988

MATTAPAN CHRONIC HOSPITAL  
c/o PAULA V. KAMINOW  
DEPARTMENT OF HEALTH AND HOSPITALS  
818 HARRISON AVENUE  
BOSTON, MA 02118

Re: Conditional Release Relative to the  
Cannons Engineering Corporation Case

Dear Sir or Madam:

In a letter sent on March 28, 1986 to MATTAPAN CHRONIC HOSPITAL, the U.S. Environmental Protection Agency notified MATTAPAN CHRONIC HOSPITAL that it might be one of a number of parties responsible for certain hazardous conditions at the one or more hazardous waste facilities associated with the Cannons Engineering Corporation. That determination was based on a review of records obtained from the Commonwealth of Massachusetts, the State of New Hampshire, and the Cannons Engineering Corporation which evidenced some business relationship concerning waste chemicals between that company and your company. However, it was not clear whether that relationship extended to the handling of shipments of waste materials that were delivered to the Cannons Engineering Corporation facility in Bridgewater, Massachusetts. The notice letter from EPA proposed discussion leading to your participation in cleanup activities at the several sites, and in a settlement relative to the costs incurred by the government in cleaning up the sites.

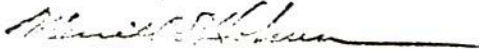
Since the issuance of the original notice letters, further information has come into the EPA's possession, through documents provided by potentially responsible parties in response to the information requests that accompanied the notice letters, and through further investigation of the operations of the Cannons Engineering Corporation. Based on the information presently in the possession of EPA, we can now state that the business dealings of MATTAPAN CHRONIC HOSPITAL with Cannons Engineering Corporation do not appear to have contributed to the conditions at the sites within the meaning of the relevant statutes. As such, EPA does not presently believe that MATTAPAN CHRONIC HOSPITAL is a



responsible party with respect to the Cannons Engineering Corporation case.

The government must reserve its right to reassess MATTAPAN CHRONIC HOSPITAL's relationship to the Cannons Engineering Corporation sites if new facts are discovered.

Sincerely,

A handwritten signature in dark ink, appearing to read "Merrill S. Hohman", followed by a horizontal line.

Merrill S. Hohman, Director  
Waste Management Division

cc: E. Michael Thomas, Senior Assistant Regional Counsel  
Office of Regional Counsel

Dana Bisbee, Assistant Attorney General  
State of New Hampshire

Gregg Wilson, Assistant Attorney General  
Commonwealth of Massachusetts

CITY OF BOSTON  
DEPARTMENT OF HEALTH AND HOSPITALS

JAN 14 1987 AM 0106-A

818 HARRISON AVENUE  
BOSTON, MASSACHUSETTS 02118



Tel. No. (617) 424-5430

January 8, 1987

1332  
Gregory A. Roscoe  
U.S. Environmental Protection Agency  
P. O. Box 3254  
Reston, Virginia 22090

Re: Cannons Case Ranked List Audit Procedures

Dear Mr. Roscoe:

Enclosed please find Cannons Case Ranked List Audit Form with attached documents submitted by Mattapan Hospital (Mattapan Chronic Disease Hospital), 249 River Street, Mattapan, Massachusetts 02126, for your consideration.

Very truly yours,

A handwritten signature in blue ink that reads "Paula Kaminow".

Paula V. Kaminow, Esq.  
Special Assistant Corporation Counsel

PVK/jr

Enclosure

page 1 of 1

Total Quantity of Waste Shipments to CEC Bridgewater:

Total Quantity of Waste Shipments to CEC Bridgewater:

Comments

As described in the affidavit (A), letter (B), and incident report (C), Mattapan Hospital was responsible neither for the spill nor for the cleanup. Mattapan Hospital contracted with North Atlantic Petroleum Corp. for oil. On the date in question it was delivered by North Atlantic's agent/subcontractor, McKneeland Oil Company. The cleanup was arranged by and the responsibility of North Atlantic which contracted with and paid Cannons Industrial Service. Therefore, Mattapan Hospital should be discharged of any liability and such liability should shift to North Atlantic Petroleum Corp. Further, as the affidavit (A), letter (B), incident report (C), and letter (D) indicate the volume in question was 3500 gallons of #6 fuel oil.

Re: The Cannons Engineering Corporation site in Bridgewater, Massachusetts;  
the Cannons Engineering Corporation site in Plymouth, Massachusetts;  
the Gilson Road site in Nashua, New Hampshire; and the Tinkham Garage  
site in Londonderry, New Hampshire

AFFIDAVIT OF BERNICE POLONIAK

I, Bernice Poloniak, on oath depose and say as follows:

1. I am the Assistant Director of Mattapan Hospital, 249 River Street, Mattapan, Massachusetts 02126, and have held this position continuously since May 1, 1978.

2. In accordance with my job responsibilities, I am familiar with and responsible for the contract arrangements for oil supplied to Mattapan Hospital, a facility of the City of Boston, operated by the Department of Health and Hospitals, and with general management and supervision of the physical plant of Mattapan Hospital.

3. Oil is and was supplied to City of Boston facilities pursuant to semi-annual contracts awarded after public bidding.

4. For at least one year, covering the period including December 1978, the City of Boston contracted with North Atlantic Petroleum Corp., then of 85 Central Street, Waltham, Massachusetts, for supplying oil to its facilities.

5. The City of Boston did not contract or otherwise make arrangements with truckers for delivery of the oil; all such arrangements were made by North Atlantic Petroleum Corp. or other vendor.



6. During the period, including December 1978, oil was delivered to Mattapan Hospital by McKneeland Truck/Oil Company.

7. In 1978 Mattapan Hospital had two operating 10,000 gallon oil tanks, which were filled alternately on an on-call basis at the direction of the plant department.

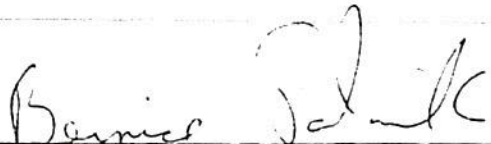
8. On December 29, 1978, at approximately 4:00 A.M., I received a telephone call from engineer on duty informing me that an oil spill of 3,500 gallons had occurred because the trucker filled the wrong tank. (At the time, some disagreement as to fault existed; this disagreement was resolved and Mattapan Hospital did not assume responsibility for the spill.)

9. Robert Barry, Third Class Stationery Engineer, contacted North Atlantic Petroleum Corp. and spoke with the President, Mr. Michael Seneque, who informed him that he would make arrangements with Cannons Industrial Service to clean up the spill.

10. Cannons Industrial Service arrived at approximately 4:30 A.M., was on the scene throughout the cleanup during which Cannons steam cleaned the room, suctioned out any oil, which for the most part stayed in the tank room, and did whatever else was required to clean up the spill.

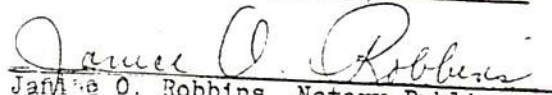
11. Mattapan Hospital and the City of Boston had no contact with Cannons Industrial Service, except to the extent, they were on the premises cleaning the spill; made no contract arrangements with Cannons; had no knowledge, input, or control of ultimate disposal of the oil removed by Cannons; and otherwise bore no responsibility for the spill and cleanup in light of its relationships and the responsibility of North Atlantic Petroleum Corp., McKneeland Trucking, and Cannons Industrial Service, as described above.

Signed under the pains and penalties of perjury this 30 day  
of April, 1986.

  
Bernice Poloniak  
Assistant Director  
Mattapan Hospital  
249 River Street  
Mattapan, Massachusetts 02126

Commonwealth of Massachusetts  
County of Suffolk

Subscribed and sworn before me this  
30th day of APRIL, 1986

  
Janice O. Robbins, Notary Public

My Commission Expires December 4, 1992

COPY

Attachment B

January 19, 1979

Ms. Terry McGlynn Cabrera  
Attorney, Legal Affairs Dept  
Dept. of Health & Hospitals  
\$18 Harrison Avenue  
Boston, MA 02118

Re: Oil Spill, 12/28/78

Dear Terry:

As you are aware from our previous conversations, 3,500 gallons of oil were spilled at Mattapan Hospital on December 28, 1978. The delivery was made by McKneeland Oil Company who are the truckers for North Atlantic Petroleum Corp. (See enclosed reports and previous correspondence.)

This morning, Mr. Michael Seneque, of North Atlantic Petroleum called me concerning the payment (or the lack of it) for the oil delivery. Mr. Seneque believes that Mattapan Hospital or the insurance company for McKneeland Trucking should be responsible for the payment. He suggested that Mattapan Hospital was at fault since the McKneeland driver insists that hospital personnel told him to fill Tank #4 (the full tank) and not Tank #3 (the empty tank).

Mr. Seneque also indicated to me that he believes it is the word of one individual over the other. In addition to that, he was informed by Mr. Harvey Reed of McKneeland Trucking that our Tank #3 was not in operating order the day of the delivery. This was the first we had heard that story and find it to be contradictory to our reports. Please see the attached report from the Engineer and Fireman on duty at the time of the spill. I have also re-checked the validity of that story with our Plant Superintendent who was unaware of any such difficulty.

We have not paid Invoice #5084, dated 1/3/79 to North Petroleum Corp. since we were waiting for them to deduct the 12/28/78 delivery from their bill, Oil Ticket #072936 (enclosed). The entire invoice was returned to North Atlantic Petroleum with a cover letter asking them to adjust their records (see enclosure).

Also, we were never billed, nor expect a bill, for the oil cleaning. The North Atlantic Petroleum Corp. called Cannons Industrial Service who steam cleaned the room, suctioned out the oil, etc.

COPY

Re: Oil Spill, 12/28/78  
Mattapan Hospital

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-2-

I believe this is all the information presently available, as well as all documents concerned with the oil spill that are on file.

Please advise us concerning the status of payment, etc.

Sincerely,

Bernice A. Poloniak  
Assistant Director

BAP:kjw  
encls.

cc: Jack Cawley  
Bernard Bonner



Jan: 29 78

Attachment C

5:00 AM.

A major oil spill occurred during the 3-11 shift. An oil delivery was made at 7:00 PM and the driver was instructed to put the oil in #3 oil tank, both the engineer and fireman (F. O'Grady and D. Barr) checked the log sheet before the fireman told him to put the oil in #3 tank. The delivery man made a mistake and put the oil in #4 tank which had approximately 74 inches in it at the time (There was 78 inches in #4 at 3:00 PM when the reading was taken).

Approximately 3500 gallons spilled out of #4 tank through the hole at the top center of the tank, which is used to insert the dipstick for the tank soundings. The spill was not discovered until 11:10 PM when the night fireman went up to take the oil readings. Following the spill prevention plan I called:

Jack Cawley (several times) and got no answer.

Eric Byström

Daniel Murphy of Public Transportation who was on duty and not home.

William J. [unclear] and got no answer.

Bernie [unclear] who answered and it

I then called the North Atlantic Petroleum Corp. and told them about the spill. The Vice President of the company, called (Mr. Penegue) and told me he would call the Connors company which cleans up oil spills and they arrived at 4:30 AM.

all the oil stayed in the tank room except for a small amount which flowed outside, in back of the tank room. All the floor drains are clear.

R. Barry.

4:00 pm. Fire alarm sounded with 1 bell and the recorder did not operate. This was assumed to be a false alarm since it has happened 2 nights in a row, but most buildings were checked to be sure that there was no fire.

R. Barry



DEPARTMENT OF HEALTH AND HOSPITALS  
MATTAPAN HOSPITAL  
249 River Street  
Mattapan, Massachusetts 02126

BERNICE POLONIAK  
ASSISTANT DIRECTOR

617-298-7900

January 11, 1979

North Atlantic Petroleum Corp.  
85 Central Street  
Waltham, MA 02154

Gentlemen:

Per our previous agreement, please adjust your records accordingly to credit Mattapan Hospital for approximately 3,500 gallons of oil spilled on December 28, 1978 by McKneeland Oil Co.

Very truly yours,

Bernice A. Poloniak  
Asst. Director

encl.